

KFOURY ET AL.
"Electronic Device With Rotatable
Keypad And Display"
Atty. Docket No. CS10289

Response Under 37 CFR 1.116
Appl. No. 09/941,521
Examiner J. Chiang
Art Unit 2642

REMARKS

Request for Reconsideration, Claims Pending

The non-final Office Action mailed on 8 February 2006 has been considered carefully. Reconsideration of the claimed invention in view of the amendments above and the discussion below is respectfully requested.

Claim 14 was amended to delete "90", which Applicant inadvertently failed to strike-out during the most recent amendment.

Claims 7-14, 16-21, 23-24 and 26-28 are pending.

Allowability of Claims Over Nuovo & Tragatschnig

Rejection Summary

Claims 7-8, 10 and 14-28 stand rejected under 35 USC 103(a) as being unpatentable over US Patent No. 6,593,914 (Nuovo) in view of US Patent No. 4,875,234 (Tragatschnig).

The Examiner concedes that Nuovo fails to disclose an input area that can be rotated 180 degrees, but asserts that it would have been obvious to substitute the rotatable input area of Tragatschnig for the input arc of Nuovo.

Discussion of Claim 7

Regarding Claim 7, the prior art fails to disclose or suggest a

KFOURY ET AL.
"Electronic Device With Rotatable
Keypad And Display"
Atty. Docket No. CS10289

Response Under 37 CFR 1.116
Appl. No. 09/941,521
Examiner J. Chiang
Art Unit 2642

... portable electronic device having a housing, comprising:
an input area disposed on the housing, the input area is rotational at
least substantially 180 degrees relative to the housing;
a display having a display image disposed on the housing;
a sensor for providing a sensor signal representative of an orientation
of the input area relative to the housing; and
a display system for changing, in response to the sensor signal, an
orientation of the display image on the display relative to the orientation of
the input area and as a function of the orientation of the input area.

Contrary to the Examiner's assertion, there is no motivation or suggestion in the prior art to replace the pivotal keypad of Nouvo with the keypad of Tragatschnig. In Tragatschnig, the keypad (3) and display (5) are integrally formed on a pivotal panel portion (2) to accommodate wall mounting or use on a flat surface. Only the keypad (56) of Nouvo pivots, while the display (54) remains fixed, whereas both the keypad and display pivot simultaneously in Tragatschnig. Moreover, Nouvo does not require pivoting the keypad more than 90 degrees, and thus there is no reason to replace the keypad of Nouvo with a keypad that pivots 180 degrees. The Examiner's obviousness rejection is based on hindsight, which is improper. Claim 7 is thus patentably distinguished over the art.

Discussion of Claim 18

Regarding Claim 18, the prior art fails to disclose or suggest a

... portable electronic device, comprising:
a physically rotatable keypad, the keypad rotational at least
substantially 180 degrees;
a display having a display image;
a sensor for providing a sensor signal representative of an orientation
of the keypad relative to the electronic device;
display drivers for forming the display image on the display; and

KFOURY ET AL.
"Electronic Device With Rotatable
Keypad And Display"
Atty. Docket No. CS10289

Response Under 37 CFR 1.116
Appl. No. 09/941,521
Examiner J. Chiang
Art Unit 2642

a processor for receiving the sensor signal and in response thereto modifying the display drivers for forming the display image on the display with an orientation that is a function of the orientation of the keypad.

Contrary to the Examiner's assertion, there is no motivation or suggestion in the prior art to replace the pivotal keypad of Nouvo with the keypad of Tragatschnig. In Tragatschnig, the keypad (3) and display (5) are integrally formed on a pivotal panel portion (2) to accommodate wall mounting or use on a flat surface. Only the keypad (56) of Nouvo pivots, while the display (54) remains fixed, whereas both the keypad and display pivot simultaneously in Tragatschnig. Moreover, Nouvo does not require pivoting the keypad more than 90 degrees, and thus there is no reason to replace the keypad of Nouvo with a keypad that pivots 180 degrees. The Examiner's obviousness rejection is based on hindsight, which is improper. Claim 18 is thus patentably distinguished over the art.

Discussion of Claim 24

Regarding Claim 24, the prior art fails to disclose or suggest a

... portable electronic device, comprising:
a housing;
a keypad pivotally disposed on the housing, the keypad pivotally positionable between at least first and second positions separated by 180 degrees;
a display disposed on the housing;
the display having a first display configuration when the keypad is in the first position,
the display having a second display configuration when the keypad is in the second position.

Contrary to the Examiner's assertion, there is no motivation or suggestion in the prior art to replace the pivotal keypad of Nouvo with the

KFOURY ET AL.
"Electronic Device With Rotatable
Keypad And Display"
Atty. Docket No. CS10289

Response Under 37 CFR 1.116
Appl. No. 09/941,521
Examiner J. Chiang
Art Unit 2642

keypad of Tragatschnig. In Tragatschnig, the keypad (3) and display (5) are integrally formed on a pivotal panel portion (2), to accommodate wall mounting or use on a flat surface. Only the keypad (56) of Nouvo pivots, while the display (54) remains fixed, whereas both the keypad and display pivot simultaneously in Tragatschnig. Moreover, Nouvo does not require pivoting the keypad more than 90 degrees, and thus there is no reason to replace the keypad of Nouvo with a keypad that pivots 180 degrees. The Examiner's obviousness rejection is based on hindsight, which is improper. Claim 24 is thus patentably distinguished over the art.

Discussion of Claim 26

Regarding Claim 26, the prior art fails to disclose or suggest a

... portable electronic device, comprising:
a housing having an upper portion and a lower portion;
a keypad disposed on the housing;
a display disposed on the housing;
the display nearer the lower portion of the housing than the keypad,
the keypad nearer the upper portion of the housing than display.

In FIG. 5 of Nuovo, the keypad 56 is located side-by-side with the display 54. Thus in Nuovo the display is not nearer the lower portion of the housing and the keypad is not nearer the upper portion of the housing. In FIG. 4, Nuovo discloses the display and the top and keypad at the bottom of the housing. Claim 26 is thus patentably distinguished over the art.

KFOURY ET AL.
"Electronic Device With Rotatable
Keypad And Display"
Atty. Docket No. CS10289

Response Under 37 CFR 1.116
Appl. No. 09/941,521
Examiner J. Chiang
Art Unit 2642

Prayer for Relief

In view of the discussion and any amendments, Claims 7-14, 16-21, 23-24 and 26-28 of the present application are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,


ROLAND K. BOWLER II 2 MAY 2006
REG. NO. 33,477

MOTOROLA, INC.
INTELLECTUAL PROPERTY DEPT. (RKB)
600 NORTH U.S. HIGHWAY 45, AN475
LIBERTYVILLE, ILLINOIS 60048

TELEPHONE NO. (847) 523-3978
FACSIMILE NO. (847) 523-2350